

Location **5 Church Mount London N2 0RW**

Reference: **17/5814/HSE** Received: 12th September 2017
Accepted: 19th September 2017

Ward: Garden Suburb Expiry 14th November 2017

Applicant: Mr Robert Salem

Proposal: New basement level. Single storey rear extension. Part first floor, part two-storey side extension with pitched roof above including side dormer window. Alterations and extension to roof including heightening of roof facing no. 3 Church Mount, 1no. new dormer window to side elevation facing no. 7 Church Mount and 2no. new skylights in roof. Alterations to fenestration and internal alterations.

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing and Proposed Site Location Plan and Block Plan (201709/5CM/S1, 201709/5CM/S2), 201709/5CM/01, 201709/5CM/02, 201709/5CM/03, 201709/5CM/04, 201709/5CM/05, 201709/5CM/06, 201709/5CM/08, 201709/5CM/09, 201709/5CM/10, 201709/5CM/11, 201709/5CM/12, 201709/5CM/13, 201709/5CM/14, 201709/5CM/15, Sustainability Statement, Design and Access Statement and Basement Impact Assessment by LBH Wembley Engineering.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) hereby approved shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012).

- 6 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation facing no. 7 Church Mount.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 7 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 8 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 9 a) No development or site works shall take place on site until confirmation has been provided to the LPA from the principle designer, indicating that they have checked and approved all method statements and/or temporary works designs with respect to the basement construction, and are satisfied that these are in accordance with the Construction Design and Management Regulations.

b) The development shall thereafter be implemented and, where appropriate, monitored to ensure accordance with the measures confirmed by the principle designer in accordance with this condition.

Reason: In the interests of safety and the mitigation of flood risk, in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.3 and 5.12 of the London Plan (2015).

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to

development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 2 The applicants are advised that the basement construction is undertaken by an experienced and competent contractor and overseen by a chartered engineer.

Officer's Assessment

1. Site Description

The application site is located on the northern corner of Church Mount within Area 13 of the Hampstead Garden Suburb Conservation Area.

The existing building on site is a two-storey detached dwellinghouse which holds no designation. The property was rebuilt in 2000 as shown below in the planning history.

The adopted Conservation Area Character Appraisal notes;

"Church Mount consists of detached houses individually designed in the late 1930s and the mid-1950s by a number of different architects. The 1950s developments reference few of the architectural features that characterise the Suburb, and are not of a quality to make a strong impact on their own. They sit uneasily with the earlier 1930s houses. This lack of cohesion in the road is further emphasised by the paved front gardens, the variety of materials used and the closeness of the houses. The environment cannot absorb the multiplicity of styles and the resulting effect at the higher end of the road is harsh and confused, substantially detracting from the character of the road overall. As the road curves and slopes down, there is more greenery and the houses, predominantly from the 30s, have some interesting features."

2. Site History

Reference: C00163L/00

Address: 5 Church Mount, London, N2 0RW

Decision: Approved subject to conditions

Decision Date: 12 October 2000

Description: Erection of new three storey detached house following demolition of existing.

Reference: C00163M/01

Address: 5 Church Mount, London, N2 0RW

Decision: Lawful

Decision Date: 20 March 2001

Description: Bathing pool in rear garden.

Reference: C00163N/01

Address: 5 Church Mount, London, N2 0RW

Decision: Approved

Decision Date: 20 March 2001

Description: Submission of details of bricks and roof tiles in part pursuant to Condition 2 of Planning Permission Ref. C00163L/00 for a detached house.

Reference: C00163P/01

Address: 5 Church Mount, London, N2 0RW

Decision: Refused

Decision Date: 1 June 2001

Description: Erection of new three storey detached house following demolition of existing (variation of Planning Permission Ref. C00163L/00 dated 10-10-2000) involving first floor balcony at rear and elevational changes.

Reference: C00163Q/01

Address: 5 Church Mount, London, N2 0RW

Decision: Approved

Decision Date: 1 May 2001

Description: Submission of details of joinery, brickwork, dormer windows and levels pursuant to Conditions 3 and 12 of planning permission Ref. C00163L/00 dated 10.10.2000 for a new detached house.

Reference: C00163R/02

Address: 5 Church Mount, London, N2 0RW

Decision: Approved

Decision Date: 25 March 2002

Description: Submission of details of soft landscaping pursuant to condition 7 of planning permission ref. no. C00163L/00 for a detached house.

3. Proposal

The applicant seeks approval for 'New basement level. Single storey rear extension. Part first floor, part two-storey side extension with pitched roof above including dormer window to side elevation. Heightening of roof facing no. 3 Church Mount. Extension to roof 1no. new dormer window to side elevation and 2no. new skylights. New window and internal alterations'.

Dimensions:

Single storey rear extension: 4.6m wide, 2m deep and 3.8m high to the top of the flat roof.

Side extension: 3.6m wide at both levels, 3.5m high and 2.8m deep at ground floor level and 5.1m to the first floor eaves and 8.9m high to the top of the pitched roof and would be set back from the main front elevation by 4.8m. It would be set away from the side boundary facing the neighbouring property at no. 7 Church Mount by 1.8m. The associated side dormer would measure 2.1m wide, 0.8m deep and 1.1m high. The dormer within the existing main element of the roof facing no. 7 would measure 1.4m wide, 0.8m deep and 1.1m high.

Extension to roof: The heightening of the side element of the pitched roof facing no. 3 Church Mount would be 0.5m.

4. Public Consultation

7no. consultation letters were sent to neighbouring properties.

17no. responses have been received.

10no. letters of support and 7no. letters of objections (1 objector wishes to speak at committee)

The supporting comments are as follows:

-Existing properties on Church Mount have been developed to a far greater extent with much smaller foot prints.

-Virtually every dormer window will overlook other properties so this is not a valid or rational argument

-Drive is substantial hence can park at least 3 cars

- Provided planning applications adhere and follow guidelines or recent precedents then neighbours should be tolerant and supportively.
- The existing house is set back from the street therefore the boundaries are not over powering the neighbours in fact from the street the extension asked will not even be visible.
- The neighbouring house on 7 Church Mount has the exact extension on the side therefore it shouldn't be a cause of concern as these two houses are neighbouring and will therefore have some resemblance. The current extension proposed will leave the boundaries further away from each other than other parts currently are.
- Will increase property values
- Allows for a more desirable home for current and future families
- Proposal preserves architecture of the past and is extending footprint whilst still in keeping with the surrounding neighbours

The objections are as follows:

- Property already appears to be connected to the neighbouring property. Further extension will worsen the situation
- Highways issue from additional living space
- HGS Trust had turned down identical scheme
- Overdevelopment
- Overbearing on neighbouring site(s)
- Affect streetscene
- Overlooking from side dormers

Other Consultees:

HGS CAAC: Refuse application for the following reasons:

- Volume too large
- Out of scale
- Impact on neighbour excessive
- Basement extension too large

Internal Consultee:

Barnets Principle Engineer (Building Control) comments:

The geology map indicates this area is overlain with London Clay confirmed by a site investigation. No ground water was encountered during the Site Investigation. London clay has a relatively low permeability and is almost a complete barrier to ground water flow. It is unlikely the basement construction will adversely affect the ground water levels. It is important the basement construction is undertaken by an experienced and competent contractor and overseen by a chartered engineer.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and

where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the alterations would be a visually obtrusive form of development which would detract from the character and appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area.

- Whether harm would be caused to the living conditions of neighbouring residents;

- Whether harm would be caused to trees of special amenity value.

5.3 Assessment of proposals

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an 'Area of Special Character of Metropolitan Importance'. The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 - 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special

character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

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The current application follows official pre-application advice. Amendments were requested and provided at the pre-application stage. Under the current scheme the proposal includes the following;

- Creation of basement development under footprint of dwelling and patio with lightwells
- Increase in height of side wing closest to 3 Church Mount
- Ground floor kitchen extension at rear corner closest to 3 Church Mount
- Two storey side extension above existing flat roof closest to 7 Church Mount
- Alterations to rear fenestration at ground and first floor
- Extension of existing hardstanding to front drive

Potential Impact on the Character of the Area

The proposals are not considered to detrimentally impact the character and appearance of this part of the Conservation Area. The alteration in relation to the increase in height of the side wing is considered acceptable and would ensure that the increase appears appropriate when compared to the neighbouring property.

The proposed increase in front hardstanding shows the removal of a corner of the existing lawn. Having looked at the character of hardstandings within the street, where many properties have paved over much of their front gardens leaving little vegetation save for a few planting beds, this proposal, which shows the retention of lawn is not considered to detrimentally impact upon the character and appearance of the street scene and is therefore considered to be acceptable.

The proposed basement would include lightwells at the rear of the site on either side of the existing bay where planting beds currently exist. They are considered to be acceptable and are thus supported under the current scheme and overall it is considered that the external manifestations of the basement development are acceptable.

At the rear of the site it is proposed to create two sets of double door openings in place of existing fenestration serving the dining room and kitchen. New decorative lintel details are proposed above all fenestration at ground floor apart from the new double doors serving the kitchen. It is also proposed to bring forward the existing corner at ground floor which will serve the breakfast room; this addition will sit behind the existing kitchen and the existing quoin detail on the corner of the property is to be retained. This part of the proposal is not considered to result in harm to the character and appearance of the host property, nor the significance of this part of the Conservation Area.

At first floor it is proposed to relocate the positioning of the windows above the central bay extension, with the central window becoming a full length door. Also, a first floor and roof extension above the existing flat roof element closest to 7 Church Mount is proposed. The extension would be set back from the front elevation so as not to impact upon the existing street scene, and set down from the main ridge to ensure its subordination to the main

dwelling house. The detailing and appearance of this addition would appear appropriate and acceptable.

Potential Impact on Amenity of neighbouring occupiers

Given the orientation of the host application property in relation to its neighbours, it is not considered that the proposals will give rise to any loss of amenity to neighbouring occupiers.

The proposed increase in height of the side wing by reason of its size, siting and design would ensure that this alteration appears appropriate in the street scene when compared to the height of the neighbouring property at 3 Church Mount. Furthermore, the proposed first floor and roof extension to the other corner closest to 7 Church Mount, as detailed above would be set back from the front elevation and set below the main ridge line to ensure it appears appropriate and subordinate in the street scene and results in no loss of amenity to neighbouring occupiers.

Furthermore, a Basement Impact Assessment was submitted by the applicants and assessed by Barnets Building Control Principle Engineer. His assessment advised that It is important that the basement construction is undertaken by an experienced and competent contractor and overseen by a chartered engineer. It was further confirmed that no ground water was encountered during the site investigation and that London clay has a relatively low permeability and is almost a complete barrier to ground water flow. Therefore, the proposed basement element is considered to have an acceptable impact on the neighbouring amenities in this regard.

Potential impact on trees of special amenity value.

The proposal is not considered to impact trees of amenity value at the proposal site. Furthermore, the submitted Design and Access Statement confirms that no trees are to be removed on the site. It is therefore considered that the proposal would have an acceptable impact on the development in accordance with policy DM01 of the Adopted Barnet Development Management Policies which advises that trees should be safeguarded within developments.

5.4 Response to Public Consultation

-Property already appears to be connected to the neighbouring property. Further extension will worsen the situation

Dealt with above

-Highways issue from additional living space

The domestic extensions as proposed on the existing dwellinghouse are not considered to have any further impact on the Highways. Furthermore, off street parking exists at the site which would further mitigate impact on the Highway.

-HGS Trust had turned down identical scheme

Changes are considered acceptable in relation to the planning guidance and policy.

-Overdevelopment

The proposal is not considered to constitute overdevelopment of the site and would not detract from the proposal property or immediate vicinity.

-Overbearing on neighbouring site(s)

Dealt with above.

-Affect streetscene

Dealt with above.

-Overlooking from side dormers

A condition would be added into the approval to obscure glaze the first floor side glazing in order to protect the privacy of the neighbouring amenities.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, area of special character and trees of amenity value.

